IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 22nd day of November , 2002

Criminal Misc. Bail Application Number 1244 of 2002

Order on the Bail Application

CRIMINAL SIDE

(1) Nishan Singh s/o Sri Jaimal Singh, (2) Gurunam Singh son of Sri Rajwant Singh, both residents of r/o Kankata, P.S. Gadarpur, District Udham Singh Nagar

.....Applicant(s)

Versus

State of Uttaranchal. …..…….Opposite Party

Arising out of - Case crime no. 389 of 2002,
Under Section 25/27 of Arms Act,
P.S. Gadarpur,
District Udham Singh Nagar.

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant-accused and the Assistant Government Advocate.

According to the prosecution version, the applicants-accused were running an illegal arm manufacturing unit. Perused the memo. of the recovery. The occurrence is said to have taken place on 29.10.2002 and it is submitted that on 23.10.2002, a telegram and a representation to Human Rights Commission were dispatched apprehending that the applicant-accused may be falsely implicated in some case by the police. It was also submitted that no public witness was taken at the time of the alleged search despite the claim that there was prior information of the occurrence. Taking into accounts all these aspects of the matter, I find it to be a fit case for bail.

Let the applicant (1) Nishan Singh s/o Sri Jaimal Singh, (2) Gurunam Singh son of Sri Rajwant Singh, both residents of r/o Kankata, P.S. Gadarpur, District Udham Singh Nagar be released on bail in case crime no.389 of 2002,under sections 25/27 of Arms Act, P.S. Gadarpur, District Udham Singh Nagar on their each furnishing a personal bond and adequate sureties to the satisfaction of C.J.M., Udham Singh Nagar.

(Irshad Hussain, J.)

01.11.02./B.